

Docket No. 59216.1500
U.S. Patent Application Serial No. 10/529,703



#2
D/C

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
KITAMURA, Toshio *et al.* :
U.S. Appln. Serial No.: 10/529,703 :
Filed: 29 March 2005 :

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MAY 05 2005

OFFICE OF PETITIONS

For: APPARATUS FOR AND METHOD OF CONTROLLING AUTOMATIC
TRANSMISSION

PETITION TO CORRECT APPLICATION
CLASSIFICATION UNDER 37 C.F.R. 1.182

Commissioner for Patents
P.O. Box DAC
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.182, Applicants respectfully petition the Director to reclassify the filing of United States Application No. 10/ 529,703 filed on March 29, 2005. Applicants inadvertently filed the application under 35 U.S.C. § 371. Applicants hereby petition to reclassify the filing to a United States national application filed under 35 U.S.C. 111(a). It is noted that this application claims the benefit of International Application No. PCT/JP2003/02551 filed September 30, 2003.

In accordance with 37 C.F.R. § 1.182, the petition fee under 1.17 (h), which is \$130.00, is hereby attached.

A copy of the Transmittal Letter and stamp dated receipt post card is attached for your reference. Upon granting of this petition it is requested that the file be forwarded to Certificate of Correction Branch for issuance of a Certificate of Correction.

05/04/2005 SZEWDIE1 00000045 502036 10529703

01 FC:1462 270.00 DA 130.00 OP

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13 MAY 2005
Legal Staff
International Division

Docket No. 59216.1500
U.S. Patent Application Serial No. 10/529,703

Applicants believe that no additional fees are due in connection with this petition.
However, Commissioner is hereby authorized to charge any additional costs or credit any
overpayment to Deposit Account No. 50-2036 with reference to Attorney Docket No.
59216.1500.

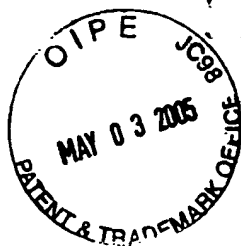
Respectfully submitted,

BAKER & HOSTETLER LLP

A handwritten signature in black ink, appearing to read 'D. Cawley', is written over a horizontal line.

Dennis P. Cawley
Registration No. 44,598

Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
Telephone: (202) 861.1500
Facsimile: (202) 861.1783
Date: 5/3/05



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**RETURN RECEIPT POSTCARD
BOX PCT**

The Patent Office acknowledges, and has stamped hereon, the date of receipt of the items checked:

Docket: 59216.1500

Applicant(s): Toshio KITAMURA et al.
Application No.: New U.S. National Phase Patent Application
Title: APPARATUS FOR AND METHOD OF CONTROLLING
AUTOMATIC TRANSMISSION

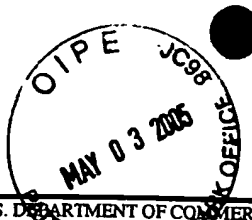
| Filed: Herewith | Group Art Unit: | N/A | Batch No.: | N/A |
|-----------------------------|------------------------|--|-------------------|------------|
| (X) Application Transmittal | : 2 sheets | Information Disclosure Statement | | |
| (X) Specification | : 18 sheets | PTO-1449 w/cited references | | |
| (X) Claims | : 5 sheets | Japanese Patent Appln. No.: 2002 filed 9.30.02 | | |
| (X) Abstract | : 1 sheet | Assignment for recordation | | |
| (X) Drawings | : 5 sheets | Declaration and Power of Attorney | | |
| (X) Check Amt. | : 1,040.00 USD | | | |

(X) Charge any discrepancies to Deposit Account 50-2036.

Todays Date: March 29, 2005



Attorney: LJJ/fgb



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OFFICE OF PETITIONS

FORM PTO-1390
REV. 2011

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

59216.1500

U.S. APPLICATION NO.
(If known, see 37CFR1.5)

INTERNATIONAL APPLICATION NO.

PCT/JP2003/02551

INTERNATIONAL FILING DATE

(30 September 2003) 30.09.2003

PRIORITY DATE CLAIMED

(30 September 2002) 30.09.2002

TITLE OF INVENTION:

APPARATUS FOR AND METHOD OF CONTROLLING AUTOMATIC TRANSMISSION

APPLICANT(S) FOR DO/EO/US

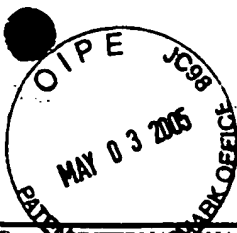
Toshio KITAMURA, Isao OKAMOTO, Osamu ISOBE, Akihisa HAYASHI and Yuuichi ICHIKAWA

Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau)
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the International Preliminary Examination Report and its annexes under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☒ Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment amending application in accordance with PCT Article 28.
14. ☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A Substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154 (d)(4).
19. ☐ A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. ☒ Other items or information:
 - a. ☒ PTO-1449 and a copy of cited references
 - b. ☒ Priority Document - JP Patent Appln. No. 2002-286690 filed September 30, 2002
 - c. ☐



| | | | | | |
|---|--------------|---|---|---|---------|
| U.S. APPLICATION NO. (If known, see 37CFR 1.5) New Application | | INTERNATIONAL APPLICATION NO. PC 17/1 2003/012551 | | ATTY'S DOCKET NO.: 59216.1500 | |
| 21. <input checked="" type="checkbox"/> The following fees are submitted: | | | | Calculation & PTO Use Only | |
| Basic National Fee..... \$300.00 | | | | \$300.00 | |
| Examination Fee..... \$200.00 | | | | \$200.00 | |
| Search Fee..... \$500.00 | | | | \$500.00 | |
| TOTAL OF ABOVE CALCULATIONS = \$1000.00 | | | | \$1,000.00 | |
| Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | | Rate | |
| 29-100 = | /50 = | | | X \$250.00 | \$0.00 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). | | | | <input type="checkbox"/> 20 <input type="checkbox"/> 30 | \$0.00 |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total Claims | 14 | - 20 = | 0 | x \$50.00 | \$ 0.00 |
| Independent Claims | 2 | - 3 = | 0 | x \$200.00 | \$ 0.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | | +\$360.00 | \$ 0.00 |
| TOTAL OF THE ABOVE CALCULATIONS = | | | | \$ 0.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | | |
| SUBTOTAL = | | | | \$1,000.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). | | | | <input type="checkbox"/> 20 <input type="checkbox"/> 30 | \$ 0.00 |
| TOTAL NATIONAL FEE = | | | | \$ 1,000.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. | | | | + \$ 40.00 | |
| TOTAL FEES ENCLOSED = | | | | \$ 1,040.00 | |
| | | | | Amount to be refunded: | \$ |
| | | | | charged: | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of <u>\$1,040.00</u> to cover the above fees is enclosed. | | | | | |
| b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. | | | | | |
| c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-2036</u> . | | | | | |
| d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: (firm address) BAKER & HOSTETLER LLP Washington Square, Suite 1100 1050 Connecticut Avenue, N.W. Washington, D.C. 20036 DATED: <u>3-29-05</u> | | | | | |
| | | | SIGNATURE Leo J. Jennings Reg. No. 32,902 | | |